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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION**

14 ALADDIN ZACKARIA, individually,  
15 and on behalf of other members of the  
16 general public similarly situated, and on  
17 behalf of aggrieved employees pursuant  
18 to the Private Attorneys General Act  
19 ("PAGA");

20 Plaintiff,

21 vs.

22 WAL-MART STORES, INC., a  
23 Delaware corporation; and DOES 1  
24 through 100, inclusive,

25 Defendants.  
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Case No. EDCV11-01418 VAP  
(DTBx)

Honorable Virginia A. Phillips

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
PLAINTIFF ALADDIN ZACKARIA'S  
MOTION TO REMAND**

**Date: November 7, 2011**

**Time: 2:00 p.m.**

**Place: Courtroom 2**

**Complaint Filed: August 3, 2011**

**ORDER**

Aladdin Zackaria's ("Plaintiff") Motion to Remand came for a hearing before this Court on November 7, 2011, at approximately 2:00 p.m., in Courtroom 2 of the United States District Court for the Central District of California, Eastern Division. The Court has reviewed Plaintiff's moving papers, Defendant's opposition, and Plaintiff's reply brief in connection with the motion. The Court has also considered oral argument and all evidence presented at the hearing.

Plaintiff's Motion to Remand is hereby **GRANTED**. Defendant removed this action from the Superior Court of the State of California for the County of San Bernardino pursuant to 28 U.S.C. § 1332(d). However, as Plaintiff's moving papers have demonstrated, Defendants failed to carry their burden of establishing that the amount in controversy exceeds \$5,000,000. Moreover, this Court declines to exercise jurisdiction over a Private Attorneys General Act ("PAGA") claimant. Accordingly, pursuant to 28 U.S.C. § 1447, the above-entitled action is hereby remanded to the Superior Court of the State of California for the County of San Bernardino.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Virginia A. Phillips  
Judge of the U.S. District Court